



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wen-Cherng Lee et al.                      Art Unit : 1614  
Appl. No. : 10/526,839                                      Examiner : Thomas, Timothy P.  
Filed : 11/01/2005    Attorney's Docket No.: 124269-00075  
Title : Pyrazolopyridines and Methods of Making and Using the Same

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**TERMINAL DISCLAIMER UNDER 37 CFR § 1.321(C)**

The owner of the instant application, Biogen Idec MA Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on the owner's co-pending reference application No. 10/526,653, filed on March 3, 2005, ("Reference Application") as such term is defined in 35 U.S.C. §§ 154 and 173, and as the term of any patent granted on said Reference Application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the co-pending Reference Application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the Reference Application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 and 173 of any patent granted on said Reference Application, "as the term of any patent granted on said Reference Application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending Reference Application," in the event that any such patent granted on the pending Reference Application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner

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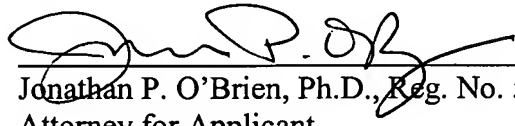
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terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

It is believed that a fee of \$130.00 is required under 37 C.F.R. § 1.20(d) for filing this Terminal Disclaimer. As such, the Commissioner is authorized to charge this amount from Deposit Account No. 503,654, referencing Attorney Docket No. 124269-00075. If there are any other charges or credits, please apply them to the same Deposit Account and refer to the same Attorney Docket number.

Respectfully submitted,

Date: 3/18/08

  
Jonathan P. O'Brien, Ph.D., Reg. No. 50,862  
Attorney for Applicant

Miller, Canfield, Paddock and Stone, P.L.C.  
277 S. Rose Street, Suite 5000  
Kalamazoo, MI 49007  
Telephone: (269) 381-7030  
Facsimile: (269) 383-5828

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